

Few stations acknowledge the military's role in the segments. "Just tune in and you'll see a minute-and-a-half news piece and it looks just like they went out and did the story," Mr. Gilliam said. The unit, though, makes no attempt to advance any particular political or policy agenda, he said. "We don't editorialize at all," he said.

Yet sometimes the "good news" approach carries political meaning, intended or not. Such was the case after the Abu Ghraib prison scandal surfaced last spring. Although White House officials depicted the abuse of Iraqi detainees as the work of a few rogue soldiers, the case raised serious questions about the training of military police officers.

A short while later, Mr. Gilliam's unit distributed a news segment, sent to 34 stations, that examined the training of prison guards at Fort Leonard Wood in Missouri, where some of the military police officers implicated at Abu Ghraib had been trained.

"One of the most important lessons they learn is to treat prisoners strictly but fairly," the reporter said in the segment, which depicted a regimen emphasizing respect for detainees. A trainer told the reporter that military police officers were taught to "treat others as they would want to be treated." The account made no mention of Abu Ghraib or how the scandal had prompted changes in training at Fort Leonard Wood.

According to Mr. Gilliam, the report was unrelated to any effort by the Defense Department to rebut suggestions of a broad command failure.

"Are you saying that the Pentagon called down and said, 'We need some good publicity?'" he asked. "No, not at all."

The PRESIDING OFFICER. Without objection, the pending amendment is laid aside. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from West Virginia [Mr. BYRD] for himself, Mrs. CLINTON, Mr. LAUTENBERG, Mr. KERRY, Mr. WYDEN, Mr. DORGAN, Mr. HARKIN, and Mr. KENNEDY, proposes an amendment numbered 430.

Mr. COCHRAN. I ask unanimous consent the reading of the amendment be dispensed with.

Mr. BYRD. I have no objection to that.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit the use of funds by any Federal agency to produce a prepackaged news story without including in such story a clear notification for the audience that the story was prepared or funded by a Federal agency)

At the appropriate place, insert the following:

SEC. _____. None of the funds provided in this Act or any other Act may be used by a Federal agency to produce any prepackaged news story unless the story includes a clear notification to the audience that the story was prepared or funded by that Federal agency.

Mr. KENNEDY. Mr. President, I applaud the Senator from West Virginia for his amendment. We have to put a stop to all of the taxpayer-financed propaganda put out by our government to influence the American people.

Over the last year, we have found out that the Bush administration has used taxpayer funds to finance "fake news reports" by actors posing as reporters, not actual journalists, who read the ad-

ministration's script on prescription drugs and the No Child Left Behind education program. Even more recently, we have found out that a number of actual real-life journalists have been secretly paid by the Bush administration to promote its political agenda. This is dangerous to our democracy. It's an unethical misuse of taxpayer funds.

Senator LAUTENBERG and I have generated a series of investigations by the Government Accountability Office critical of the Bush administration's propaganda efforts. We have introduced legislation, the Stop Government Propaganda Act, that the Byrd amendment complements. Our legislation, like the Byrd amendment, specifically prevents the administration—any administration, Democratic or Republican—from paying actors to pose as legitimate journalists in order to push for a political agenda.

I urge my colleagues to support the Byrd amendment. Congress cannot sit still while the administration corrupts the first amendment and freedom of the press.

Mr. GREGG. Mr. President, I am intrigued by the amendment of the Senator from West Virginia. I do not believe taxpayers should be funding propaganda. I think it is totally inappropriate, other than in an attempt to promote American policy overseas, for example, where we should be funding communication with other people around the Earth, as we do through Radio Free America, Radio Liberty, and other radio stations that have been developed over the years for the purposes of presenting the American position in regions of the world where our access is limited.

But here in the United States, clearly, if the Government wishes to make a point, that should be disclosed. If taxpayers' dollars are being used to make a point, that should be disclosed. I agree with the basic concept of the theme of the Senator's amendment. So I expect that this amendment must apply to National Public Radio. National Public Radio, of course, receives a large amount of tax subsidy. It presents views which one could argue are propaganda, in many instances. If I read this amendment correctly, I believe, and I would hope the record would reflect, this amendment will apply to National Public Radio so that when they put out a newscast it will have to be announced that this newscast is put out at the expense of the American taxpayer and that the American taxpayer has paid for this report.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I see my colleague from Maryland is also seeking the floor. We both have important meetings at 3 o'clock. I wondered how long the Senator from Maryland will take?

Ms. MIKULSKI. Less than a minute.

Mr. BOND. I am happy to yield to my colleague from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I ask for the regular order with respect to my amendment.

The PRESIDING OFFICER. That amendment is now pending.

CLOTURE MOTION

Ms. MIKULSKI. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the Mikulski amendment No. 387 to H.R. 1268.

B.A. Mikulski, J. Lieberman, J. Corzine, Jeff Bingaman, Byron Dorgan, Ron Wyden, Ken Salazar, Hillary Clinton, Mark Pryor, Dick Durbin, Bill Nelson, Chuck Schumer, Barack Obama, Frank Lautenberg, Patrick Leahy, Debbie Stabenow, Chris Dodd.

Ms. MIKULSKI. Mr. President, I understand that negotiations are ongoing on all of the immigration provisions. I am sorry I have to do this, and I will be very glad to withdraw this cloture motion if we are able to come to an understanding.

AMENDMENT NO. 430

I now ask unanimous consent that the Senate resume consideration of the Byrd amendment.

The PRESIDING OFFICER (Mr. ENSIGN). Is there objection?

Without objection, it is so ordered.

The Senator from Missouri.

Mr. BOND. Mr. President, I appreciate the comments raised by the Senator from New Hampshire.

As chairman of the new Appropriations Subcommittee on Transportation, Treasury, Judiciary, and HUD, I understand this measure would fall within the general government provisions of this bill. While I think all of us share concerns that have been expressed by the distinguished Senator from West Virginia, I urge my colleagues to oppose this amendment. We appreciate what the Senator is trying to do, but I don't believe his amendment provides the appropriate remedy to the problems he has described.

Using Federal funds for the purpose of propaganda is already unlawful under section 1913 of title 18 of the United States Code, and the governmentwide general provisions title of the Transportation, Treasury Appropriations Act includes further restrictions from using appropriated funds for propaganda.

Section 624 of the 2005 Transportation, Treasury Appropriations Act states:

No part of any appropriations contained in this or any other Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

The distinction between educating the public about an issue and advocating a policy is not always obvious.